

REMARKS/ARGUMENTS

Claims 35-48 and 64-77 were pending in this application at the time the present Office Action was mailed. Claims 36, 48, and 67 have been amended in this response. The amendments to claims 36, 48, and 67 are not narrowing amendments for the purpose of patentability and do not change the scope of these claims. Accordingly, claims 35-48 and 64-77 are now pending in the application.

In the Office Action mailed May 7, 2003, many of the pending claims were allowed and the remaining pending claims were either objected to or rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 35, 37-47, 64-66, and 68-77 were allowed;

(B) Claim 48 was objected to based on minor informalities; and

(C) Claims 36 and 67 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

A. Allowed Claims 35, 37-47, 64-66, and 68-77

Claims 35, 37-47, 64-66, and 68-77 were allowed in the Office Action mailed May 7, 2003, and have not been amended

B. Response to the Claim 48 Informalities

Claim 48 was objected to based on minor informalities in the claim. Based on the Examiner's suggestions, the phrase "at least proximate to the first end, and an opening at least" in line 12 has been amended to "proximate to at least the first end, and an opening." Additionally, the phrase, "at least" in line 13 has been inserted after "proximate to." Accordingly, the objection to claim 48 should be withdrawn.

C. Response to the Section 112 Rejections

Claim 36 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Examiner noted that the phrase "panels attached to the channel members and/or the bearing plate" in line 4 is unclear with respect to what structure(s) the panels are attached to. Although the originally filed claim is not indefinite under Section 112, second paragraph, this phrase has been amended to read "panels attached to at least one of the channels members and the bearing plate" to expedite allowance. This amendment does not narrow the scope of this claim, and it is not for the purposes of patentability because the original claim complies with Section 112.

The Examiner further noted that the phrase "the channel members project from the bearing plate in the direction of the load/unload path" found in lines 8 and 9 of claim 36 is unclear with respect to the orientation of projection of the channel members. The applicant respectfully disagrees with the Examiner's assertion that the orientation of the channel members is unclear in this claim. The specification fully defines the statement in claim 36 regarding the orientation of projection of the channel members. Referring to Figure 2, for example, the load/unload path P is shown in relation to the guide structure 50 and tray retainer 20, with the channel members 58 projecting from the bearing plate 57 in the direction of the load/unload path P. Accordingly, the figures and text of the originally filed application provide complete support and adequate definiteness for the above-referenced statement in claim 36. Applicants respectfully request withdrawal of the rejection of claim 36.

Claim 67 was also rejected under 35 U.S.C. § 112, second paragraph, on the grounds that there was no antecedent basis for the "the first and second guide members." Claim 67 has been amended to clarify the antecedent basis of a feature of the claim without narrowing the scope of the claim. Accordingly, the Section 112 rejection of claim 67 should be withdrawn.

D. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 287-3258.

Respectfully submitted,
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